THE HONOURABLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No :10336 of 2007

DATED:05-06-2007

BETWEEN:

Modavat Chinna Lachman.

.....
PETITIONER

AND

The Director General of Police,
Andhra Pradesh at Hyderabad & 4 others.

.....RESPONDENTS

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ORDER:

Heard learned counsel appearing for the petitioner as well as the learned Government Pleader for Home appearing for the respondents.

2. Petitioner seeks a writ of mandamus declaring the action of the 2nd respondent in interfering with the personal liberty and property rights of the petitioner, as illegal and arbitrary.

3. It is the case of the petitioner that at the instance of the 4th respondent a criminal case was registered against the sons and daughters-in-law of the petitioner and in that connection the 2nd respondent-Station House Officer, Kandukur police station, who was impleaded by name as 3rd respondent, is frequently calling the petitioner to the police station and asking him to settle the issue with the 4th respondent. He being threatened with dire consequences and much pressure is being applied on him he filed the present Writ Petition.

4. Counter has been filed stating that on a complaint lodged by the 4th respondent on 07-09-2005 Cr.No.75 of 2005 was registered for the offences punishable under
Sections 147, 148, 447, 506 r/w 149 IPC against the sons and

daughters-in-law of the petitioner herein by the then Inspector of police, Kandukur police station. In the said complaint it was alleged that they have criminally trespassed into the agricultural lands of the 4th respondent with deadly weapons and therefore they were arrested and after completion of the investigation charge sheet was also filed and the same is pending trial vide C.C.No.131 of 2007 on the file of the Judicial First Class Magistrate, Ibrahimpatnam, Rangareddy District. It is further stated that one M.Rama Mohan, son of Chengaiah, resident of Flat No.303, Vishnu Enclave Engineer colony, Yousufguda, Hyderabad also filed a complaint based on which Cr.No.180 of 2006 was registered under Sections 324, 447, 427, 506 r/w 34 IPC against the sons and daughters-in-law of the petitioner on 23-12-2006 and the accused were arrested and charge sheet was also filed and the same is pending trial vide C.C.No.140 of 2007 on the file of the IV Metropolitan Magistrate, Ibrahimpatnam, Cyberabad. The allegations made by the petitioner that he was detained for hours together in the police station and was asked to produce all the original records pertaining to the lands were all denied. It is further stated that the petitioner was never summoned to the police station and no complaint whatsoever was lodged against the petitioner and the petitioner was never called to the police station.

5. In view of the aforesaid categorical denial of the averments made against the official respondents, I am of the opinion that no orders need be passed in this Writ Petition, however, if there is any harassment on the part of the official respondents it is open

for the petitioner to make proper representation and initiate fresh legal proceedings.

6. Accordingly, the Writ Petition is dismissed. No order as to costs.

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V.ESWARAIAH,J

05th June, 2007.
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